

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

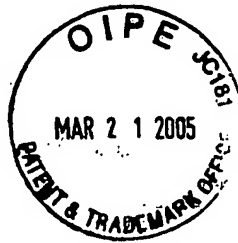
MUKERJI et al.

Serial No.: 10/619,532

Filed: July 15, 2003

For: GENES INVOLVED IN POLYKETIDE  
SYNTHASE PATHWAYS AND USES  
THEREOF

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313



THIRD-PARTY SUBMISSION IN  
A PUBLISHED APPLICATION  
(Under 37 CFR § 1.99)

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING  
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COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA,  
VA 22313-1450 ON 3/16/05

SHERIDAN ROSS P.C.  
BY: [Signature]

Dear Sir:

The undersigned, having reviewed the specification and the claims of the above-identified patent application, and having formed the opinion that certain prior art references are relevant to the subject matter of said application, and as a consequence thereof being further of the opinion that the grant by the United States Patent and Trademark Office of a patent to the applicants of the above-identified patent application would be contrary to the public interest, does hereby submit the following prior art references pursuant to 37 CFR § 1.99.

The above-mentioned application was published on January 20, 2005, which is less than two months prior to the instant submission.

Attached hereto in accordance with 37 CFR § 1.99 are: (1) the fee as set forth in 37 CFR § 1.17(p) of \$180.00 as required under 1.99(b)(1); (2) a listing on the accompanying form PTO-1449 of the patent publications relied upon; (3) a copy of the listed patent publications in written form and in English; and (4) a certification that the submission was served upon the applicant in accordance with 37 CFR § 1.248.

Respectfully submitted,

SHERIDAN ROSS P.C.

03/21/2005 HGUETMA1 00000003 10619532

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By: Angela Sebor

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Date: March 16, 2005

Certificate of Service

It is hereby certified that a copy of this THIRD PARTY SUBMISSION IN A PUBLISHED APPLICATION (UNDER 37 CFR § 1.99) was mailed, first class, postage prepaid, to Robert Deberardine, Abbott Laboratories, 100 Abbott Park Road, Dept. 377/AP6A, Abbott Park, IL 60064-6008, USA, attorney for applicant, this 16<sup>th</sup> day of March 2005.

A handwritten signature in black ink, appearing to read "Stephen M. Smith", is written over a horizontal line.



Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

### Complete if Known

|                        |                |
|------------------------|----------------|
| Application Number     | 10/619,532     |
| Filing Date            | July 15, 2003  |
| First Named Inventor   | Mukerji et al. |
| Art Unit               |                |
| Examiner Name          |                |
| Attorney Docket Number |                |

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|-------|---|----|---|
| Sheet | 1 | of | 1 |
|-------|---|----|---|

### U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. <sup>1</sup> | Document Number<br>Number-kind Code <sup>2</sup> (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee of<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|--------------------|-----------------------|---|--------------------------------|--|---|
|                    | 1                     | US-2002/0194641   | 12/19/2002                     | Metz et al.  |   |
|                    | 2                     | US-2002/0194641   | 12/19/2002                     | Metz et al.  | Redacted  |
|                    |                       |   |                                |  |   |

### FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. <sup>1</sup> | Foreign Patent Document<br>Country Code <sup>3</sup> ; Number <sup>4</sup> ; Kind Code <sup>5</sup> (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear | T <sup>6</sup> |
|--------------------|-----------------------|--|--------------------------------|--|---|----------------|
|                    |                       | PCT -  |                                |  |   |                |
|                    |                       | -  |                                |  |   |                |

### OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

| Examiner Initials* | Cite No. <sup>1</sup> |  |
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| Examiner Signature |  | Date Considered |  |
|--------------------|--|-----------------|--|

\*EXAMINER: Initial if reference is considered, whether or not citation is in conformance and not considered. Include copy of this form with next communication to applicant.